

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cv-11859

Patricia M. Colburn

v.

Richard Cappiello

CLERK'S CERTIFICATE

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 1/26/06.

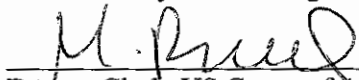
In testimony whereof, I hereunto set my hand and affix the seal of this Court on February 13, 2006.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 2/14/06.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-11859-MLW**

Colburn v. IBEW Local 2133 (Richard Capello) et al
Assigned to: Chief Judge Mark L. Wolf
Cause: 28:1332 Diversity-Employment
Discrimination
Date Filed: 08/25/2004
Jury Demand: None
Nature of Suit: 720 Labor:
Labor/Mgt. Relations
Jurisdiction: Federal Question

Plaintiff

Patricia M. Colburn

represented by **Patricia M. Colburn**
100 Kennelworth Ave.
Brockton, MA 02301
PRO SE

V.

Defendant

**IBEW Local 2133 (Richard
Capello)**

represented by **Harold L. Lichten**
Pyle, Rome Lichten, Ehrenberg &
Liss-Riordan, P.C.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**IBEW Local 2222 (Myles
Calvery)**

represented by **Harold L. Lichten**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant











Verizon

represented by **Timothy P. Van Dyck**

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Date Filed	#	Docket Text
08/25/2004	<u>1</u>	NOTICE OF REMOVAL by Patricia M. Colburn from Suffolk Superior Court, case number PLC2004-00889. \$ 150, receipt number 58237, filed by Patricia M. Colburn.(Boyce, Kathy) (Entered: 08/30/2004)
08/25/2004	<u>3</u>	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Collings (Boyce, Kathy) (Entered: 08/30/2004)
09/02/2004	<u>4</u>	STATE COURT Record IBEW Local 2133 (Richard Capello) served on 8/4/2004, answer due 8/24/2004; IBEW Local 2222 (Myles Calvery) served on 8/16/2004, answer due 9/6/2004; Verizon served on 8/6/2004, answer due 8/26/2004.. (Boyce, Kathy) (Entered: 09/09/2004)
09/07/2004	<u>2</u>	MOTION to Dismiss <i>or for More Definite Statement</i> by Verizon.(Rosebush, Windy) (Entered: 09/07/2004)

09/07/2004	 3	MEMORANDUM in Support re <u>2</u> MOTION to Dismiss <i>or for More Definite Statement</i> filed by Verizon. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit A# <u>3</u> Exhibit A# <u>4</u> Exhibit A)(Rosebush, Windy) (Entered: 09/07/2004)
09/14/2004	 5	MOTION to Consolidate Cases by Verizon.(Rosebush, Windy) (Entered: 09/14/2004)
01/20/2005	 6	NOTICE of Scheduling Conference/Hearing on Motion <u>5</u> MOTION to Consolidate Cases, <u>2</u> MOTION to Dismiss <i>or for More Definite Statement</i> : Motion Hearing set for 3/21/2005 03:00 PM in Courtroom 10 before Judge Mark L. Wolf. (O'Leary, Dennis) (Entered: 01/21/2005)
03/10/2005	 8	Judge Mark L. Wolf : Electronic ORDER entered granting <u>2</u> Motion to Dismiss, finding as moot <u>5</u> Motion to Consolidate Cases (O'Leary, Dennis) Additional attachment(s) added on 3/14/2005 (Boyce, Kathy). Modified on 3/14/2005 to add complete order to this entry as it was formerly missing pages Boyce, Kathy). (Entered: 03/14/2005)
03/11/2005	 7	JOINT STATEMENT of counsel <i>Pursuant to Local Rule 16.1 (D)</i> . (Horberg Decter, Nicole) (Entered: 03/11/2005)
03/14/2005	 8	Notice of correction to docket made by Court staff. Correction: Document No. 8, Memorandum and Order corrected: to add complete document to entry as document was previously some missing pages (Boyce, Kathy) (Entered: 03/14/2005)
04/04/2005	 9	MOTION for Reconsideration of <u>8</u> Order on Motion to Dismiss, by Patricia M. Colburn, FILED.(Boyce, Kathy) (Entered: 04/06/2005)
04/20/2005	 10	Opposition re <u>9</u> MOTION for Reconsideration re <u>8</u> Order on Motion to Dismiss,, Order on Motion to Consolidate Cases, filed by IBEW Local 2133 (Richard Capello). (Attachments: # <u>1</u> Exhibit Affidavit of Richard Cappiello)(Horberg Decter, Nicole) (Entered: 04/20/2005)
04/20/2005	 11	Opposition re <u>9</u> MOTION for Reconsideration re <u>8</u> Order on Motion to Dismiss,, Order on Motion to Consolidate Cases, filed by Verizon. (Rosebush, Windy) (Entered: 04/20/2005)
10/05/2005	 12	Letter to clerk from Catherine Highet enclosing opposition to Motion for Recosideration filed by Patricia Colburn, FILED. (Boyce, Kathy) (Entered: 10/13/2005)

12/05/2005	●	Judge Mark L. Wolf : Electronic ORDER entered denying <u>9</u> Motion for Reconsideration (O'Leary, Dennis) (Entered: 12/07/2005)
01/26/2006	● <u>13</u>	Letter from Patricia Colburn to Judge Wolf, FILED. (Boyce, Kathy) (Entered: 01/30/2006)
01/26/2006	● <u>14</u>	NOTICE OF APPEAL as to <u>8</u> Order on Motion to Dismiss,, Order on Motion to Consolidate Cases, by Patricia M. Colburn. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 2/15/2006. (Boyce, Kathy) (Entered: 01/30/2006)